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10/014,293	12/11/2001	Vij Rajarajan	MS167412.2/40062.148/USU1	3141
7590 07/09/2008 MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903				
EXAMINER				
DOAN, DUYEN MY				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/014,293

**Applicant(s)**

RAJARAJAN ET AL.

**Examiner**

DUYEN M. DOAN

**Art Unit**

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 11 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
4) ☐ Interview Summary (PTO-413)  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_  
Paper No(s)/Mail Date \_\_\_\_\_

#### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/4/2008 has been entered.

Claims 1-20 are amended for examination. Claim 21 is cancelled.

#### ***Response to Arguments***

Applicant's arguments, see remark page 7, filed on 2/7/2008 with respect to 35 U.S.C 101 has been fully considered and are persuasive. Claims rejection under 35 U.S.C 101 is hereby withdrawn.

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 8-12 cites "computer storage medium for executing method of claims 1-7" respectively, however, claims 1-7 is the method claims, claims 8-12 are not further limiting the claims 1-7. For the purpose of examination, examiner treated claim 8-12 as independent claims.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 18 recites a "system" that comprises an "a management module." The use of the term "system" does not inherently mean that the claim is directed towards a machine. Only if at least one the claimed elements of the system is a physical part of a device can the system constitute a machine within the meaning of §101. There are no hardware or physical elements that would have led one of ordinary skill in the art to believe that the

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system is to be implemented as a machine. The claimed system is simply system software per se.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-11, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olapurath et al (us pat 6,678,714) (hereinafter Ola) in view of Shaffer (us pat 7,203,943).

**As regarding claim 1**, Ola discloses, the first task for a first managed object of a predetermined object type (see Ola 8-25, tasks associated with employee);

the second task associated with the first managed object (see Ola 8-25, tasks associated with employee);

storing in the memory the information received from the second resource in association with the information received from the first resource (see Ola col.4, lines 53-67, information needed to fulfill task, these information is inherently store in the system memory, in order to display on GUI) ;

receiving a request to perform the management task in relation to the first managed object (see Ola col.4, lines 44-49, the service unit receive the request for performing a task);

determining based on the stored information which of the first and second resource to call in response to the request (see Ola col.4, lines 53-67, uses information to complete the task, what resource is needed); and

sending a task request to the determined resource to perform the management task on the first managed object; wherein the sending occurs after receiving information from the first resource and receiving information from the second resource (see Ola col.4, lines 39-49, once task is requested, it being routed to the service unit).

Ola does not clearly disclose receiving information from a first resource related to a first task, wherein the information received from the first resource indicates whether the first resource is used to perform the management task;

receiving information from a second resource related to a second task, wherein the information received from the first resource indicates whether the second resource is used to perform the management task.

Shaffer teaches receiving information from a first resource related to a first task, wherein the information received from the first resource indicates whether the first resource is used to perform the management task (see Shaffer col.2, lines 22-44, the resource associated with tasks and its capabilities are received and stored in the table);

receiving information from a second resource related to a second task, wherein the information received from the first resource indicates whether the second resource is used to perform the management task (see Shaffer col.2, lines 22-44, the resource and its capabilities associated with tasks are received and stored in the table).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Shaffer to the invention of Ola to receive information about the resource related to task of manage object for the purpose of ensuring the timely completion of the assigned task (see Shaffer col.1, lines 21-22).

**As regarding claim 2**, Ola-Shaffer discloses receiving a request to display task information related to the first object (see Ola col.3, lines 52-62); and displaying task information received from both back-end resources in response to the request to display task information (see Ola col.3, lines 52-62).

**As regarding claim 3**, Ola-Shaffer discloses receiving static task information related to the object type of the first managed object (see Ola col.3, lines 20-24); storing the static task information in a task store (see Ola col.3, lines 20-24); receiving dynamic task information related to the first managed object, the dynamic task information including a task handler identification within the back-end resource; and in response to the request to display task information, displaying both static and dynamic task information (see Ola col.3, lines 25-31, lines 52-62).

**As regarding claim 4**, Ola-Shaffer discloses wherein the task handler identification is a pointer to some executable code on the first resource (see Ola col.10, lines 26-36).

**As regarding claim 5**, Ola-Shaffer discloses wherein the task handler identification relates to executable code on the first resource and the second resource (see Ola col.10, lines 26-36).

**As regarding claim 6**, Ola-Shaffer in response to the request to display task information, retrieving static task information from the task store; sending a request for dynamic task information to one of the resources using the handler identification, the request including instance information for the first managed object; and receiving dynamic task information for the instance of the first managed object (see Ola col.3, lines 41-62).

**As regarding claims 8-11**, the limitations of claims 8-11 are similar to limitations of claims 1-6, therefore rejected for the same rationale.

**As regarding claims 13-17**, the limitations of claims 13-17 are similar to limitations of claims 1-6, therefore rejected for the same rationale. Shaffer further discloses receiving a request from a new resource to install the new resource on the network environment, the request being in a predetermined format; including in the request communication information associated with the new resource (see Shaffer col.3, lines 1-4; col.9, lines 37-67, add resource to the system). The same motivation was utilized in claim 1 applied equally well to claim 13.

Claims 7, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ola-Shaffer as applied to claim 1 above, and further in view of Hamner et al (us pat 6,076,106) (hereinafter Hamner).



**As regarding claims 7, 12** Ola-Shaffer discloses the invention substantially as claimed in claim 1, Ola-Shaffer does not disclose associating a first management task with a second management task; and storing a script function, wherein the script function is callable and performs both the first management task and the second management task.

Hamner teaches associating a first management task with a second management task; and storing a script function, wherein the script function is callable and performs both the first management task and the second management task (see Hamner col.10, lines 64-67; col.11, lines 1-27).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Hamner to the method of Ola-Shaffer to associate the first task with second task because by doing so would save the processing time.

**Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olapurath et al (us pat 6,678,714) (hereinafter Ola in view of Hamner et al (us pat 6,076,106) (hereinafter Hamner).**

**As regarding claim 18**, Ola discloses a management module in communication with the plurality of resources, wherein each of the resources are associated with a plurality of objects (see Ola col.3, lines 8-31), the management module capable of receiving a request to access information related to one or more of the plurality of

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resources and to receive task information from the plurality of resources related to their associated objects (see Ola col.3, lines 8-31); wherein in response to receipt of a request to perform a network administration task, the management module performing task functions on the associated objects of more than one resource (see Ola col.3, lines 26-41).

Ola does not disclose a scripting manager for combining the task functions into a single script function.

Hamner teaches combining the task functions into a single script function (see Hamner col.10, lines 64-67; col.11, lines 1-27).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Hamner to the method of Ola to associate the first task with second task because by doing so would save the processing time.

**As regarding claim 19**, Ola-Hamner teaches the management module comprises a task manager to receive and store task information, the task manager further communicates with the resources to perform the network administration task (see Ola col.4, lines 44-65).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ola and Hamner as applied to claim 19 above, and further in view of Burkett et al (us pat 6,678,889) (hereinafter Burkett).

**As regarding claim 20**, Ola-Hamner discloses the invention substantially as claim in claim 19 above, the combination of Ola-Hamner does not disclose each of the plurality of resources provides information to the task manager in XML format.

Burkett teaches defining and sharing resources in XML format (see Burkett col.1, lines 57-67).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Burkett to the method of Ola-Hamner to use XML because of the flexibility of XML, XML mark up tags can be unlimited and can be self-defining (see Burkett col.4, lines 7-24).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUYEN M. DOAN whose telephone number is (571)272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/D. M. D./  
Examiner, Art Unit 2152

/Bunjod Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2152